

# **EXHIBIT 2**

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IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BUNGIE, INC.	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 2:21-cv-811-TSZ
	)	
AIMJUNKIES.COM; PHOENIX	)	
DIGITAL GROUP LLC; DAVID	)	
SCHAEFER; JORDAN GREEN;	)	
JEFFREY CONWAY; and JAMES	)	
MAY,	)	
	)	
Defendants.	)	

ORAL VIDEOTAPED ZOOM DEPOSITION

JAMES MAY

March 23, 2023

ORAL VIDEOTAPED ZOOM DEPOSITION OF JAMES MAY,  
produced as a witness at the instance of the Plaintiff  
and duly sworn, was taken in the above-styled and  
numbered cause on the 23rd day of March, 2023, from  
7:58 a.m. to 11:45 a.m., via Zoom, before Debra K.  
Zebert, Registered Professional Reporter, reported by  
computerized stenotype machine, pursuant to the Federal  
Rules of Civil Procedure and the provisions stated on  
the record or attached hereto.

Job No.: 971992

APPEARANCES

FOR PLAINTIFF:

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ALSO PRESENT:

Scott Norton, Videographer  
James Barker, In-house Counsel, Bungie, Inc.  
Ed Kaiser, PhD

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1 THE VIDEOGRAPHER: Good morning, everyone.

2 Here begins the remote deposition of James May in the

3 matter of Bungie, Inc. versus AimJunkies.com et al.

4 This case is in the United States District Court,

5 Western District of Washington, at Seattle. The case

6 number is 2:21-CV-811-TFZ. Today's date is Thursday,

7 March 23rd, 2023, and the current time is 7:58 a.m.

8 Pacific time.

9 This is a remote deposition through Zoom

10 videoconferencing. Our videographer is Scott Norton,

11 appearing on behalf of Centext Litigation Services.

12 Would counsel please introduce yourselves, state whom

13 you represent.

14 MR. DINI: My name is Jacob Dini. I'm

15 counsel for Bungie. I'm also joined today by in-house

16 counsel, James Barker -- or in-house counsel for Bungie.

17 MR. MANN: My name is Philip Mann. I'm

18 here on behalf of Mr. May.

19 THE VIDEOGRAPHER: Thank you both. Our

20 reporter today is Kathy Zebert, with Centext. Would the

21 reporter please swear in our witness.

22 JAMES MAY,

23 having been first duly sworn, testified as follows:

24 \*\*\*

25 EXAMINATION

1 BY MR. DINI:

2 Q. Okay. Good morning, Mr. May.

3 A. Good --

4 Q. I know you've --

5 A. -- morning.

6 Q. I know you've done this before. You were  
7 deposed in connection with the arbitration proceeding  
8 between these parties too, right?

9 A. Yes.

10 Q. Okay. I know Mr. Marcelo went through the  
11 deposition rules during that deposition too, but I think  
12 it's helpful for both of us just to have a brief  
13 refresher at the top here too.

14 A. Definitely.

15 Q. Yeah. So we, again, have a court reporter,  
16 Ms. Kathy Zebert. So I ask that you please answer all  
17 questions verbally even if it's just a "yes" or a "no."  
18 I'm going to ask you not to use sort of sounds like  
19 "uh-huh" or "nuh-uh," because those are difficult to  
20 record accurately. And please avoid any nonverbal  
21 answers like a nod or a shake of the head. We need a  
22 clear record in this case. Do you --

23 A. Gotcha.

24 Q. -- understand that?

25 A. Yeah.

1 contractor relationships with any other company since  
2 October of 2022?

3 A. Let me rephrase that. Sorry. I started  
4 working for -- since October, right, of this year?

5 Q. Since October -- yeah, your last deposition.

6 A. Yeah. In -- the end of January, I started  
7 working for DoorDash.

8 Q. Any other company --

9 A. It has nothing to do with this, but, yeah.  
10 Sorry.

11 Q. Oh, no. Sorry. Any other companies besides  
12 DoorDash that you've worked for since your last  
13 deposition? I'm sorry. I didn't hear that answer.

14 MR. DINI: Is anyone else having audio  
15 issues?

16 THE VIDEOGRAPHER: Yes.

17 MR. MANN: Yeah. I'm not hearing -- I'm  
18 not hearing Mr. May either.

19 THE VIDEOGRAPHER: He went out. I think  
20 he was just going to plug in.

21 A. Is it working now?

22 BY MR. DINI:

23 Q. Yes, now it is.

24 A. That was weird.

25 Q. No problem. I'll reask the question.

1 A. Okay.

2 Q. Other than DoorDash, have you worked for any  
3 other companies since your last deposition in October of  
4 2022?

5 A. No, I have not.

6 Q. Okay. Are you still working for DoorDash?

7 A. Yes.

8 Q. Is -- is that why we have to end the deposition  
9 at 5:00 p.m. Eastern time today?

10 A. Yes.

11 Q. Okay. Got it. You say you still work or you  
12 still are an independent contractor for the website  
13 AimJunkies.com. Did I hear that right?

14 A. Yes.

15 Q. What do you do for AimJunkies.com still?

16 A. I still do the same thing I did before; making  
17 cheats and stuff like that that. Yeah, still the exact  
18 same thing.

19 Q. So you're still making cheats for  
20 AimJunkies.com?

21 A. Yeah.

22 Q. How are you paid by AimJunkies.com?

23 A. I get paid through Bitcoin.

24 MR. MANN: I'm going to raise an objection  
25 at this point, because I don't see what this has to do

1 with the counterclaims, and this seems like we're going  
2 over familiar ground. Continue, but I want to make that  
3 for the record. I'll permit this for a while, but this  
4 is not going to be a complete redo of the deposition  
5 that has already been taken. I would ask that it be  
6 confined to the counterclaim issues that are properly  
7 the subject matter for this deposition. Please go  
8 ahead.

9 BY MR. DINI:

10 Q. Mr. May, I'll ask you the question again. How  
11 are you paid by AimJunkies.com?

12 A. Through Bitcoin.

13 Q. Are you paid through any other methods by  
14 AimJunkies.com other than Bitcoin?

15 A. No.

16 Q. Who pays you from AimJunkies.com?

17 A. It's still coming from -- I still think they're  
18 handling the payments. I'm not a hundred percent sure  
19 on that, but I believe Dave Schaefer is still handling  
20 the payments.

21 Q. So you're still being paid by David Schaefer  
22 for your work in connection with AimJunkies.com?

23 A. I believe they're the payment provider, like  
24 they handle the payments for them. I'm not a hundred  
25 percent sure, but I believe so.

1 Q. So who is the payment provider that pays you on  
2 behalf of AimJunkies.com?

3 A. I believe it's David Schaefer.

4 Q. Do you know your current Bitcoin wallet ID?

5 A. I do not.

6 Q. Do you have a Bitcoin wallet ID currently?

7 A. It's just through Coinbase.

8 Q. Do you have a Coinbase -- do you have a  
9 Coinbase account?

10 A. Yes, I do.

11 Q. And is that Coinbase account the one that is  
12 paid -- is -- that you use to get paid by  
13 AimJunkies.com?

14 A. Yes.

15 Q. Do you know David Schaefer's Bitcoin wallet ID?

16 A. No.

17 Q. Do you have a record of the payments being made  
18 to your Coinbase account?

19 A. No.

20 Q. Coinbase does not keep a record of how much  
21 Bitcoin you've been paid?

22 A. They might, but I'm not sure. I don't check.

23 Q. Have you ever looked at the balance of your  
24 Bitcoin wallet in Coinbase?

25 A. I transfer it right away. So it goes right to

1 my bank account.

2 Q. Is that transfer automatic, or is it manual?

3 A. I automatically transfer it as soon as I get a  
4 notification I've been paid.

5 Q. What e-mail address do you use for your  
6 Coinbase wallet or your Coinbase account?

7 A. The same e-mail address that you guys have for  
8 everything else.

9 Q. Can you remind what that e-mail address is,  
10 please?

11 A. Yeah, it's james.q3abc@gmail.com.

12 Q. Do you have access to that Coinbase account if  
13 you wanted to access it?

14 A. Yeah.

15 Q. When was the last time you accessed it?

16 A. Last time I got paid. I don't know the exact  
17 date.

18 Q. Was it within the last week?

19 A. Last month, probably.

20 Q. So sometime in February 2023 was the last time  
21 you accessed your Coinbase account?

22 A. Yeah, correct.

23 Q. Okay. Do you have any other sources of income  
24 other than for your work for AimJunkies.com and -- and  
25 DoorDash currently?

1 REPORTER'S CERTIFICATE  
2 ORAL VIDEOTAPED ZOOM DEPOSITION OF JAMES MAY  
3 March 23, 2023  
4

5 I, the undersigned Registered Professional Reporter,  
6 certify that the facts stated in the foregoing pages are  
7 true and correct.

8 I further certify that I am neither attorney or  
9 counsel for, related to, nor employed by any parties to  
10 the action in which this testimony is taken and,  
11 further, that I am not a relative or employee of any  
12 counsel employed by the parties hereto or financially  
13 interested in the action.

14 SUBSCRIBED AND SWORN TO under my hand on this the  
15 28th day of March, 2023  
16  
17  
18  
19  
20

21 \_\_\_\_\_  
Debra K. Zebert, BS, RPR, CSR  
RPR No. 839015  
22 Expiration: 12/31/23  
23  
24  
25